

Serial No.: 10/800,066  
Art Unit: 3752

### **REMARKS**

#### **A. Obviousness-Type Double Patenting Rejections**

In the present Office Action, the Examiner rejected claims 14, and 16-20 under the judicially created doctrine of non-statutory obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,810,964 in view of Mitchell et al. Additionally, claims 22-34 were also rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claim 14 of U.S. Patent No. 6,810,964. Enclosed is a terminal disclaimer disclaiming any patent term beyond that of U.S. Patent No. 6,810,964, which has been signed by an attorney of record in the present application. Accordingly, the obviousness-type double patenting rejections of claims 14, 16-20, and 22-34 are believed to be overcome.

#### **B. Allowable Subject Matter**

The Examiner indicated that claims 15 and 21 would be allowed if rewritten in independent form including the limitations of the base claims and any intervening claims. By filing the enclosed terminal disclaimer, dependent claims 15 and 21 are now believed to depend from allowable subject matter. Accordingly, claims 15 and 21 are believed to be in condition for allowance as originally filed and are not amended.

#### **C. Summary**

Upon submittal of the properly signed terminal disclaimer attached hereto, claims 14-34 are believed to be in condition for allowance.

Therefore, Applicant respectfully requests reconsideration and further examination of the application and the Examiner is respectfully requested to take such proper actions so that a patent will issue herefrom as soon as possible.

If the Examiner has any questions or believes that a discussion with Applicant's attorney would expedite prosecution, the Examiner is invited and encouraged to contact the undersigned at the telephone number below.

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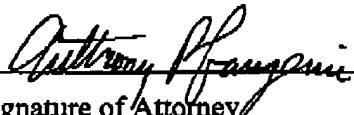
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Please apply any credits or charge any deficiencies to our Deposit Account No. 23-1665.

Respectfully submitted,  
Nicholas R. Arnot

Date: April 18, 2006

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